

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JINGYU CHEN,

Plaintiff,

-against-

YONG ZHAO CAI, et al.,

Defendants.

ORDER

19-CV-05387 (PMH)

PHILIP M. HALPERN, United States District Judge:

The Court held a conference by telephone this afternoon. Counsel for Plaintiff, counsel for Defendants Yong Zhao Cai, Qian Y Cai, and Jiang Li (collectively “Cai Defendants”), counsel for Defendants the Eastern US Buddha’s Study (Falun Dafa) Association, Inc., Friends of Falun Gong, Inc., International Falun Dafa Association, Inc., New York Falun Dafa Association Corp., NY Metropolitan Falun Dafa Association, Inc., Falun Gong Club of Orange County, Inc., Falun Dafa Information Center, Inc., or Upstate New York Falun Dafa Association, Inc. (collectively “Corporate Defendants”), and Defendant Kim K Cheung (“Cheung”), proceeding *pro se*, appeared with non-party interpreter Inting Peng. As explained on the record during the conference, the Court directed as follows:

- 1) Cheung shall appear for a deposition taken by Plaintiff’s counsel, Mr. Mount, at 10:00 a.m. on August 9, 2021. Cheung is warned that failure to appear for that deposition may result in the Court striking his Answer and entry of a default judgment against him;
- 2) Plaintiff shall file and serve (by e-mail) a letter by 5:00 p.m. on July 20, 2021 seeking to compel Cheung’s deposition or strike Cheung’s Answer. Cheung shall thereafter serve and file a response to that letter by 5:00 p.m. on July 25, 2021. Cheung is warned that if he fails to respond to Plaintiff’s July 20, 2021 correspondence, the Court will deem it unopposed;

- 3) Plaintiff shall file and serve a letter by 5:00 p.m. on August 11, 2021 advising the Court as to whether Cheung's deposition has been completed; and
- 4) Should the Cai Defendants intend to move for summary judgment after the Cheung deposition, they are directed to comply with this Court's Individual Practices.

The Clerk of the Court is respectfully directed to mail a copy of this Order to Cheung. Plaintiff is directed to mail a copy of this Order to Cheung as well and to file proof of service on the docket.

SO ORDERED:

Dated: White Plains, New York
July 19, 2021



PHILIP M. HALPERN
United States District Judge